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Federal Investigation of **Armstrong** Is Closed

IAN AUSTEN; Juliet Macur contributed reporting.

Federal prosecutors say that they have closed their investigation of cycling champion Lance **Armstrong** without charging him, nearly two years after they began looking into allegations that he and his teammates committed a variety of possible crimes by doping. Photos (M)

Federal prosecutors said Friday that they had closed their investigation of Lance **Armstrong** without charging him, nearly two years after they began looking into allegations that he and his cycling teammates committed a variety of possible crimes by doping.

The possible crimes being investigated included the defrauding of the government, drug trafficking, money laundering and conspiracy involving **Armstrong** and other top cyclists. In particular, the authorities were exploring whether money from the United States Postal Service, the primary team sponsor for the first four of **Armstrong's** Tour de France wins, was used to buy performance-enhancing drugs.

Andre Birotte Jr., the United States attorney for the Central District of California, announced the end of the investigation, which involved several federal agencies, in a brief statement. He did not cite a reason for the decision and declined to comment further.

"The United States Attorney determined that a public announcement concerning the closing of the investigation was warranted by numerous reports about the investigation in media outlets around the world," the statement said. A **grand jury** in Los Angeles had been convened as part of the investigation.

Armstrong, who won the Tour de France a record seven times, has always emphatically denied all accusations that he used illegal performance-enhancing drugs. But his first Tour de France win in 1999 followed the event's largest doping scandal and ever since he has fought suspicions that his Tour titles were tainted by drug use. But he has never tested positive for any illegal substance. (At the 1999 Tour, he failed a test for a corticosteroid but produced a doctor's note indicating that the drug had been used for therapeutic reasons.)

"I am gratified to learn that the U.S. Attorney's Office is closing its investigation," **Armstrong** said in a statement. "It is the right decision and I commend them for reaching it. I look forward to continuing my life as a father, a competitor, and an advocate in the fight against cancer without this distraction."

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John Keker, **Armstrong's** lead lawyer in the case, said in an interview Friday that he learned of the United States Attorney's Office's decision earlier in the day, about the time it was announced publicly. He declined to comment on why the investigation was dropped but praised prosecutors' decision to step away from the inquiry.

"I'm pleased," he said. "They made the right decision, and they made it on their own."

Jeff Novitzky, a special agent for the Food and Drug Administration, was principally involved with the **Armstrong** investigation. As an agent for the Internal Revenue Service, he helped bring down the Bay Area Laboratory Co-operative doping lab. Novitzky did not respond to requests for comment.

Although **Armstrong** no longer faces the prospect of **criminal** prosecution, Travis T. **Tygart**, the chief executive of the United States Anti-Doping Agency, said that his organization would continue to investigate him.

"Unlike the U.S. Attorney, Usada's job is to protect clean sport rather than enforce specific **criminal** laws," **Tygart** said in a statement. "Our investigation into doping in the sport of cycling is continuing and we look forward to obtaining the information developed during the federal investigation."

Tygart declined to comment on what information his agency had received. Several former teammates, friends and associates of **Armstrong** were brought before the **grand jury**, but that testimony is under seal. The names of those witnesses, however, became so widely known that **Armstrong's** lawyers asked a federal judge to determine the source of the leaks.

Any finding against **Armstrong** by Usada would be primarily symbolic now that he is retired. Whether it could mean the removal of any of his race titles is unclear. After Bjarne Riis confessed in 2007 to winning the 1996 Tour de France by doping, the race organizer ultimately decided to place an asterisk beside his name in its official records after concluding that it could not change results after more than 10 years.

Novitzky initially began looking into doping related to Rock Racing, a now-defunct minor professional team based in the Los Angeles. But he turned his attention to **Armstrong** after Floyd Landis, a former teammate, claimed in 2010 that **Armstrong** and other riders on the Postal Service team engaged in systematic doping. Landis won the 2006 Tour de France only to have the title stripped after he tested positive for testosterone.

Because the doping allegations involved activities outside the United States, the investigation focused on secondary events like the source of the money on possible drug purchases and whether **Armstrong** and the team defrauded the Postal Service when they promised to adhere to antidoping rules as part of the sponsorship agreement.

PHOTOS: Travis T. **Tygart**, left, of the U.S. Anti-Doping Agency said his inquiry would continue. Jeff Novitzky worked on the federal case. (PHOTOGRAPHS BY JONATHAN ERNST/REUTERS; DOUG MILLS/ THE NEW YORK TIMES) (D6)

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